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Attorneys for Richard Kwok,
Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DYLAN STEWART, JR.,

Case No. 20-cv-1408-SJF

Plaintiff,

—against—

RICHARD KWOK, Individually, THOMAS
LOMBARDI, Individually, MICHAEL
MEINARDUS, Individually, JOSEPH COBIS,
Individually, JAY HAMPTON, Individually,
JOHN HENRY, Individually, MICHAEL
POETTA, Individually, ANTHONY BRETZ,
Individually, and JOHN and JANE DOE
1 through 10, Individually, (the names John
and Jane Doe being fictitious, as the true
names are presently unknown),

DECLARATION OF
RICHARD KWOK

Defendants.

DECLARATION OF RICHARD KWOK
(28 U.S.C. § 1746)

I, Richard Kwok, declare:

1. I am a named defendant in this action. I have personal knowledge of the facts set forth herein.
2. The June 15, 2020 affidavit of attempted service of the summons and complaint, filed in the ECF docket in this case, states that the process server delivered the summons and complaint to a person at 19 Malvern Lane, Stony Brook, New York 11790

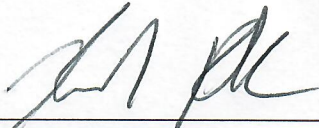
and mailed a copy of the summons and complaint to the same address. The stated delivery was not made to me personally and 19 Malvern Lane, Stony Brook, New York 11790 is not my dwelling, is not my dwelling place or usual place of abode, is not my actual place of business, and was not my dwelling, not my dwelling place or usual place of abode, and not my actual place of business on June 13, 2020 or on June 15, 2020.

3. The amended complaint in this action was never delivered to me personally or to my dwelling, or my dwelling place or usual place of abode, or my actual place of business.

4. The affidavit of service of the Notice of Motion for Default Judgment, the Memorandum of Law in Support of Plaintiff's Motion for a Default Judgment and the Declaration of Brett H. Klein, filed in the ECF docket in this case, states that these documents were mailed to me at 19 Malvern Lane, Stony Brook, New York 11790. 19 Malvern Lane, Stony Brook, New York 11790 is not my dwelling, is not my dwelling place or usual place of abode, and is not my actual place of business, not now and not on August 24, 2020.

5. My attorney has provided to me the affidavit of service of the summons and complaint and affidavit of service of the notice of motion for default judgment referred to above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 17, 2020.



RICHARD KWOK